

CITY UTILITIES COMMITTEE

MINUTES

MARCH 1, 2011

The regularly scheduled meeting of the City Utilities Committee held on **Tuesday, March 1, 2011 at 10:05 a.m., in Committee Room #2.** The following members were present:

The Honorable Natalyn M. Archibong, Chair
The Honorable H. Lamar Willis, Vice-Chair
The Honorable Yolanda Adrean
The Honorable Howard Shook
The Honorable Carla Smith
The Honorable Aaron Watson

The following member was absent:

The Honorable C. T. Martin

Others present at the meeting were: M. Theresa Stewart, Stephanie Grant, Peter Andrews and Marc Goncher, Law Department; Deputy Commissioners Jim Beard and David St. Pierre; Department of Watershed Management; Commissioner Richard Mendoza; Department of Public Works; Keith Brooks, Office of Procurement; Anita Williams, Office of the Mayor; members of the public, press and Council Staff.

Chairperson Archibong called the meeting to order at 10:05 a.m. after declaring a quorum present. She then proceeded with the following order of business.

A. ADOPTION OF AGENDA - ADOPTED

B. APPROVAL OF MINUTES - APPROVED

C. STATUS REPORTS

1. People TV-- Charlotte Engle, Executive Director
2. The Impact of the Snow and Ice Storm on DPW's Operating Budget

CONSENT

D. ORDINANCES FOR FIRST READING

- 11-O-0266 (1) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 Budget (2009A Water and Wastewater Fund (5066) Budget, in the amount of \$28,789,000.00 to transfer funds from completed, realigned, postponed or discontinued projects to the Capital Projects Reserve for Appropriations; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

- 11-O-0315 (2) An Ordinance by City Utilities Committee authorizing the sale of the City's interest in a narrow strip of land located at the southwest corner of Kendall Street and Alaska Avenue, in Land Lot 19 of the 14th District of Fulton County, Georgia; authorizing the Mayor to execute a Quitclaim Deed to the abutting property owner upon payment of the Fair Market Value; and for other purposes.

TO BE REFERRED TO CITY UTILITIES COMMITTEE

REGULAR

E. ORDINANCES FOR SECOND READING

- 11-O-0156 (1) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (2001 Water and Wastewater Bond Fund – 5057) Budget in the amount of \$70,000.00 to transfer funds from the Capital Projects Reserve (5057) for Appropriations and to add to appropriation funds for Greensferry and Custer Avenue Sewer Separation Projects; and for other purposes.
(Councilmember Willis made a motion to approve.)

FAVORABLE

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ORDINANCES FOR SECOND READING (CONT'D)

- 11-O-0157 (2) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (2009A Water and Wastewater Bond Fund – 5066) Budget in the amount of \$795,000.00 to transfer funds from the Capital Projects Reserve (5066) for Appropriations and to add to appropriation funds for Various Capital Projects; and for other purposes.
(Councilmember Willis made a motion to approve.)

FAVORABLE

- 11-O-0323 (3) An Ordinance by Councilmember Carla Smith authorizing the Mayor to enter into an appropriate contractual agreement with Advanced Disposal Services of Atlanta, LLC, for FC-5035C, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Public Works and the Department of Watershed Management based on unit prices in an amount not to exceed \$674,108.00; authorizing the City of Atlanta to waive the Competitive Source Selection Requirements contained in Sections 2-1187 through 2-1193 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes.
(Councilmember Shook made a motion to hold.)

HELD

ORDINANCES FOR SECOND READING (CONT'D)

- 11-O-0324 (4) An Ordinance by Councilmember Carla Smith authorizing the Mayor to enter into an appropriate contractual agreement with Republic Services of Georgia, LLP, for FC-5035B, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Public Works and the Department of Watershed Management based on unit prices in an amount not to exceed \$5,504,000.00; authorizing the City of Atlanta to waive the Competitive Source Selection Requirements contained in Sections 2-1187 through 2-1193 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes. **(Councilmember Shook made a motion to hold.)**

HELD

- 11-O-0325 (5) An Ordinance by Councilmember Carla Smith authorizing the Mayor to enter into an appropriate contractual agreement with Waste Management of Atlanta, Inc., for FC-5035A, Annual Contract for the Disposal of Municipal Solid Waste, on behalf of the Department of Public Works and the Department of Watershed Management based on unit prices in an amount not to exceed \$3,446,716.00; authorizing the City of Atlanta to waive the Competitive Source Selection Requirements contained in Sections 2-1187 through 2-1193 of Article X of the Procurement and Real Estate Code of the City of Atlanta Code of Ordinances; all contracted work shall be charged to and paid from Various Fund, Department Organization and Account Numbers; and for other purposes. **(Councilmember Shook made a motion to hold.)**

HELD

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F. RESOLUTION

- 11-R-0267 (1) A Resolution by City Utilities Committee to authorize payment of stipulated penalties imposed by the Environmental Protection Agency (EPA) and the Environmental Protection Division of the Department of Natural Resources of the State of Georgia (EPD) in the amount of \$6,000.00 as stipulated penalties for the violation of monitoring and sampling standards as pursuant to the CSO Consent Decree, Civil Action File No. 1:98-CV-1956-TWT; to identify the source of funding; and for other purposes.
(Councilmember Shook made a motion to approve.)

FAVORABLE

G. PAPERS HELD IN COMMITTEE

- 10-O-0939 (1) A Substitute Ordinance by City Utilities Committee to amend Chapter 154, Article V. Division IV. Section 297 of the Atlanta City Code of Ordinances Entitled "City of Atlanta Grease Management Ordinance" (§154-297 et seq.) to adjust Wastewater Discharge Permit Fees; and for other purposes.
(Substituted and held 8/31/10) (Public Hearing held 9/21/10)
- 10-O-1058 (2) An Amended Ordinance by City Utilities Committee to amend Chapter 154 (Utilities), Article III (Water), Division I (Generally) of the City of Atlanta, Code of Ordinances. for the Department of Watershed Management Bureau of Drinking Water to adjust Meter Hydrant Service and Installation Fees; and for other purposes. **(Amended and held 7/13/10) (Public Hearing held 9/21/10)**
- 10-O-1059 (3) A Substitute Ordinance to amend Section 173 (Charges for Sewers laid by Developer for Use of Development), Division 2 (Assessments), Chapter 154 (Utilities), Article IV (Sewer Construction and Assessments), of the City of Atlanta Code of Ordinances to increase certain fees and impose new fees for Pipe and Structural Inspection, Erosion Control and Construction Inspection, Site Plan Review, and other services; to create a new Section 318 (Application Fees),

PAPERS HELD IN COMMITTEE (CONT'D)

Article VII (Riparian Buffer Requirements) Chapter 74 (Environment), to impose a new fee for plan review related to Riparian Buffer authorized Encroachment Applications; to create a new Section 521 (Fees), Article X (Post Development Stormwater Management) Chapter 74 (Environment) to impose a new fee for Plan Review related to Post Development Stormwater Management; to create a new Section 208 (Fees), Article VI (Flood Area Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Flood Plain Management; to create a new Section 406 (Fees), Article VIII (Wetland Protection Regulations) Chapter 74 (Environment) to impose a new fee for plan review related to Wetlands Protection; and for other purposes. **(Held 6/29/10 for a Public Hearing) (Substituted and held 9/14/10) (Public Hearing held 9/21/10)**

- 10-O-1688 (4) An Ordinance by Councilmembers Ivory L. Young, Jr. and Michael J. Bond, authorizing the Mayor or his designee to abandon the portion of James P. Brawley Drive, SW located between Beckwith and Martin Luther King, Jr. Drive, SW on the east and located between Mitchell Street, SW and Beckwith Street, SW on the west and being more specifically described in Exhibit "A" and more completely described in Exhibit "B" lying and being in Land Lot 109 of the 14th District, Fulton County, Georgia; to abandon the portion of Mitchell Street, SW between James P. Brawley Drive, SW and Paschal Boulevard, SW as marked on Exhibit "A" and more completely described in Exhibit "C"; to abandon Student Nonviolent Coordinating Committee ("SNCC") Way, SW between 399.76' south of Mitchell Street, SW and Beckwith Street, SW on the west side and between Mitchell Street, SW and Beckwith Street, SW on the west side as marked on Exhibit "A" and more completely described in Exhibit "D"; and for other purposes. **(To be advertised for a Public Hearing) (Held 9/14/10 for further discussions and a Public Hearing)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 10-O-1981 (5) An Ordinance by Councilmembers Kwanza Hall, Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Yolanda Adrean **as amended by City Utilities Committee** authorizing the Mayor or his designee to rename Harris Street, NW located in Downtown Atlanta between Piedmont Avenue, NW and Park Drive, NW in its entirety to John Portman Boulevard, NW; and for other purposes. **(Public Hearing Held and amended 11/30/10) (Referred back by Council 1/3/11)**
- 10-R-2122 (6) A Resolution by City Utilities Committee authorizing the Mayor to enter into an Amendment Agreement No. 1, for the constructed Wetlands Project Cost Share Agreement located in McDaniel Branch with the United States Army Corps of Engineers ("USACE") to include an additional property located on Land Lot F0073 of the 14th (FF) District, Fulton County Georgia Parcel Number 14F-0073-LL-074-9 of the 14th (FF) District, Fulton County Georgia, Parcel Number 14F-0073-LL-074-9 in an amount not to exceed \$100,000.00; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers listed; and for other purposes. **(Held 11/30/10 at department request.)**
- 10-R-2126 (7) A Substitute Resolution by City Utilities Committee authorizing the Mayor to enter into an agreement with Stack/NAPM, LLC, a Joint Venture, for FC-4757, South River Basin – East Point Sewer Replacement, on behalf of the Department of Watershed Management, in an amount not to exceed \$14,578,251.74; all contracted work will be charged to and paid from Fund, Department Organization and Account Numbers and PTAEAO Numbers listed; and for other purposes. **(Referred back by Council 1/3/11) (Held 1/14/11 at the request of the department)**

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PAPERS HELD IN COMMITTEE (CONT'D)

- 11-O-0080 (8) An Ordinance by Councilmember Kwanza Hall authorizing the Mayor or his designee to impose a Moratorium on street name changes for six (6) months; and for other purposes. **(Held 1/14/11 at the request of the author)**
- 11-R-0088 (9) A Resolution by Councilmembers Michael J. Bond, H. Lamar Willis, Aaron Watson, Ivory L. Young, Jr. and Cleta Winslow authorizing the Mayor or his designee to enter into an agreement between the City of Atlanta and the Urban Villa Neighborhood Association allowing the installation of a neighborhood sign within a certain right-of-way; and for other purposes. **(Held 1/14/11 for further review)**
- 11-O-0108 (10) An Ordinance by Councilmember Michael J. Bond to designate the intersection of Atlanta Student Boulevard, SW and Walnut Street, SW, Flipper Temple AME Square; and for other purposes. **(To be advertised for a Public Hearing) (Held 2/1/11 for further discussion)**
- 11-O-0132 (11) An Ordinance by City Utilities Committee authorizing the Chief Financial Officer to amend the FY 2011 (Water and Wastewater Renewal and Extension Fund) (5052) Budget in the amount of the \$100,000.00 to transfer funds from the Water and Wastewater Renewal and Extension Fund Reserve for Appropriations and add to appropriations for McDaniel Branch Wetlands Project; and for other purposes. **(Held 2/15/2011 for companion legislation.)**

H. REQUESTED ITEMS

1. Councilmember Shook made a request to the Law Department to respond to how the City can pursue individuals and businesses that have had water debts with the City and are allowed to open new accounts. What can the City do about it?
2. Councilmember Adrean requested information on pothole backlog.
3. Councilmember Adrean requested the number of trucks/vehicles past service life in the fleet.

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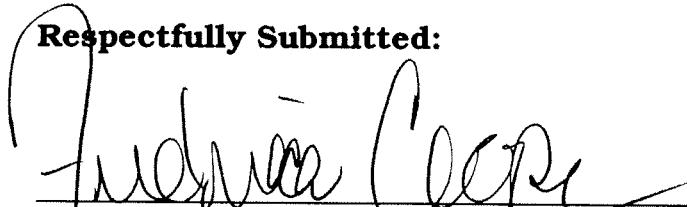
REQUESTED ITEMS (CONT'D)

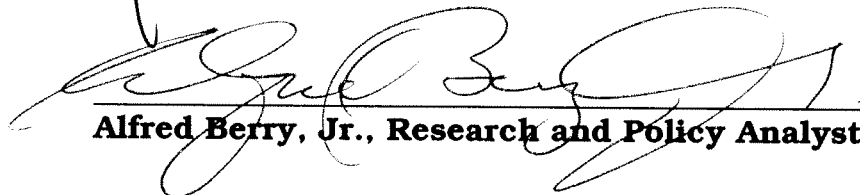
4. Councilmember Archibong requested the amount the DWM was paying for lobbyist.
5. Councilmember Willis requested information on the percentage of contract payout to minorities.
6. Councilmember Adrean wanted to know if a street damage restoration fee is feasible?
7. DPW to provide committee members with R-O-W manuals for discussion.
8. Councilmember Adrean wanted the EVCS Task Force to be cognizant of the impact the use of electric vehicles could have on water consumption.

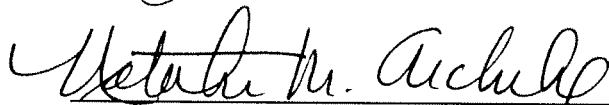
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There being no further business to come before the Committee, the meeting was adjourned at 12:16 p.m.

Respectfully Submitted:



Fredrieca Cooper, Legislative Assistant

Alfred Berry, Jr., Research and Policy Analyst

The Honorable Natalyn M. Archibong, Chair
City Utilities Committee